

Message

From: Gude, Karen [Gude.Karen@epa.gov]
Sent: 8/4/2020 3:25:54 PM
To: Byrne, Andrew [Byrne.Andrew@epa.gov]
CC: Vaught, Daniel [vaught.daniel@epa.gov]
Subject: RE: 8/13 TPM meeting

Thank you!

From: Byrne, Andrew <Byrne.Andrew@epa.gov>
Sent: Tuesday, August 4, 2020 11:25 AM
To: Gude, Karen <Gude.Karen@epa.gov>
Cc: Vaught, Daniel <vaught.daniel@epa.gov>
Subject: RE: 8/13 TPM meeting

Thanks for the feedback Karen, I passed the sentiment on to Felicia.

Andy Byrne

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From: Gude, Karen <Gude.Karen@epa.gov>
Sent: Tuesday, August 4, 2020 11:09 AM
To: Byrne, Andrew <Byrne.Andrew@epa.gov>
Cc: Vaught, Daniel <vaught.daniel@epa.gov>
Subject: RE: 8/13 TPM meeting

Andy,

Hi. Thanks so much for sharing the proposed TPM questions for the upcoming AA/RA discussion. In addition to providing the HICs/RICs with advanced notification of the upcoming release of TCOTS DASH and the ability to have information/background to pre-brief their management (should they get questions about their consultation actions and processes from their management), I would also stress that for AAs/RAs to be prepared to have a conversation with Chad about the questions listed below relating to consultation during the pandemic and McGirt, it's imperative that the HICs/RICs have time to brief/prepare their management for this discussion.

From my perspective being in OW, OW senior leadership would not know without being briefed how many consultation we've done post-COVID, what consultations we're holding on due to COVID, how consultation have been going during COVID, etc. that would feed into being able to have a productive conversation.

Similarly, OW management has not, to my knowledge, been briefed on McGirt or its potential implications for the OW programs to help inform that conversation.

These are good question/good for discussion, but HICs and RICs would need time to brief/prep their management for such a conversation in advance, if at all possible.

Thank you,
Karen

1. OITA's COVID consultation policy - Like many NPMs, OITA drafted a COVID related consultation policy.
 1. OECA has set an end date to their policy.
 1. Is this conversation premature?
 2. Do the RAs/AAs think we should consider an end date?
 3. Should we consider a set of gating criteria to ending the policy?
 2. How is the COVID flexibilities in consultation policy working for NPMs/regions?
 1. Are NPMs/regions moving forward with consultations?
 2. If NPMs/regions are holding consultations, are the NPMs/regions only required consultations or a broader array of consultations?
2. McGirt Supreme Court Decision (May need to send a brief link ahead of time, so RICs/DDs can brief ahead of time)
 1. Are there revisions to your consultation practices that you are considering in light of the McGirt decision? (especially for tribes that are partially in OK and also the broader perspective)
 2. Is a policy/guidance document needed in light of McGirt?

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From: Byrne, Andrew <Byrne.Andrew@epa.gov>
Sent: Tuesday, August 4, 2020 9:47 AM
To: Vaught, Daniel <vaught.daniel@epa.gov>; Gude, Karen <Gude.Karen@epa.gov>
Subject: FW: 8/13 TPM meeting

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From: Wright, Felicia <Wright.Felicia@epa.gov>
Sent: Monday, August 3, 2020 7:34 AM
To: Berrios, Lisa <Berrios.Lisa@epa.gov>; Besougloff, Jeff <Besougloff.Jeff@epa.gov>; Byrne, Andrew <Byrne.Andrew@epa.gov>
Subject: Fwd: 8/13 TPM meeting

Ideas for the TPM with Chad

From: Bredehoft, Deborah <bredehoft.deborah@epa.gov>
Sent: Friday, July 31, 2020 4:32 PM
To: Wright, Felicia
Subject: 8/13 TPM meeting

Felicia –

I reached out to Jim Gulliford on Jane Nishida's idea of Jim and Chad/Scott talking about consultation on the 8/13 meeting. He is agreeable, but would like to see it as a discussion with questions shared with the RAs and AAs ahead of time.

From our last conversation, I believe you were checking Chad's and Scott's calendars for this meeting. If the plan is to move forward (potentially towards an 8/13 date), should I work with you and/or Andy/Karen on this?

I was looking ahead and next week is a busy week for me, so I wanted to touch base and share a few thoughts/question while they were on my mind:

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 2. Is a policy/guidance document needed in light of McGirt?

Thanks!

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